



Update - Hawaii State Department of Education Special Education Dispute Resolution Strategic Plan

SEAC Meeting
November 17, 2023



Quick Review

- From January through April 2022, WestEd conducted interviews and requested survey responses regarding HIDOE's dispute resolution system.
- An analysis of the dispute resolution procedures, the State's Procedural Safeguards Notice, the dispute resolution data and the data collection system, the HIDOE's website, and any publicly available information was conducted.
- Data from document reviews, interviews, and surveys were analyzed and organized in a Strengths, Weaknesses, Opportunities, and Threats (SWOT) framework.
- WestEd's recommendations stem from the SWOT analysis.



SWOT Analysis

The SWOT Analysis was organized into the sub-categories for:

1. Procedural Safeguards Notice (PSN)
2. Mediation
3. State Complaints
4. Due Process Hearing Requests
5. Dispute Resolution Data Collection



Recommendations

- HIDOE's Dispute Resolution System meets the requirements of IDEA.
- Improvements in the following areas:
 - Procedural Safeguards Notice (PSN)
 - Mediation
 - State Complaints
 - Due Process Hearing Requests
 - Dispute Resolution Data Collection



Year One, Exploration and System Development: July 2022 - June 2023

System Recommendations:

- Update the state complaint and due process model forms and translate into the state's required languages.
- These should be posted in an easy-to-find, accessible location on the [HIDOE website](#).



State Complaint and Due Process Hearing Model Forms

- Model Forms have been revised in accordance with the feedback received from all of the educational and community partners.
- Cover Letters have been created to support the parents and community in completing the forms.
- The Monitoring and Compliance Branch is in the process of translating the model forms and cover letters in the most common languages.



Mediation

- Clarify with mediation contractor that parties are not required to sign a confidentiality agreement before engaging in mediation. Further, this will be an element included in any mediation trainings.
- Update HIDEOE's mediation pamphlet and create other promotional material.



Procedural Safeguards Notice (PSN)

- Refine the PSN to be responsive to stakeholder requests to tailor the resources to the state procedures in a more understandable format.



Year Two, Initial Installation: July 2023 - June 2024

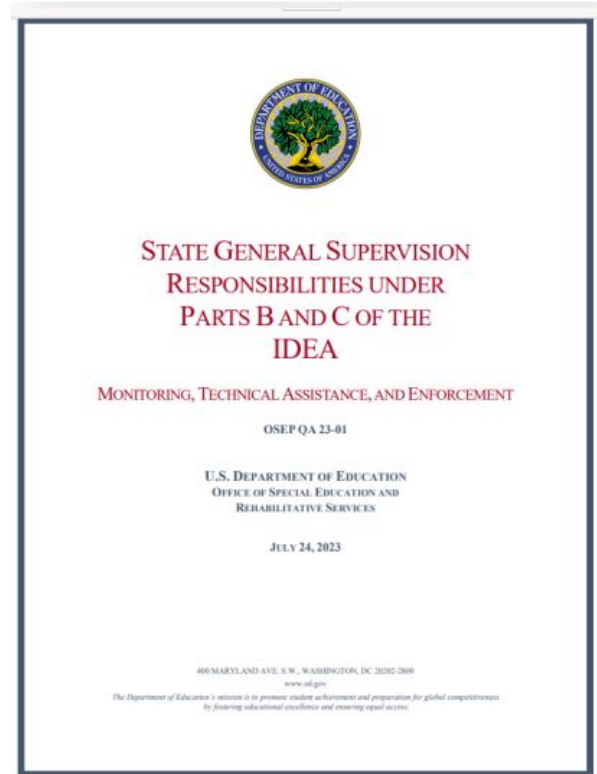
Procedural Safeguards Notice:

- Provide training to new administrators on the PSN, how to deliver it, how to summarize the information and use more parent-friendly language.
- Create a summary document of the PSN for staff to use when explaining the information to parents. This resource will also establish an expectation for how every school introduces the PSN to parents.
- Create companion materials for the updated PSN and post on the HIDOE website.
- Partner with SPIN, SEAC, and LDAH to provide trainings to parents in the community regarding the PSN.



Office of Special Education Programs (OSEP) Questions & Answers 23-01

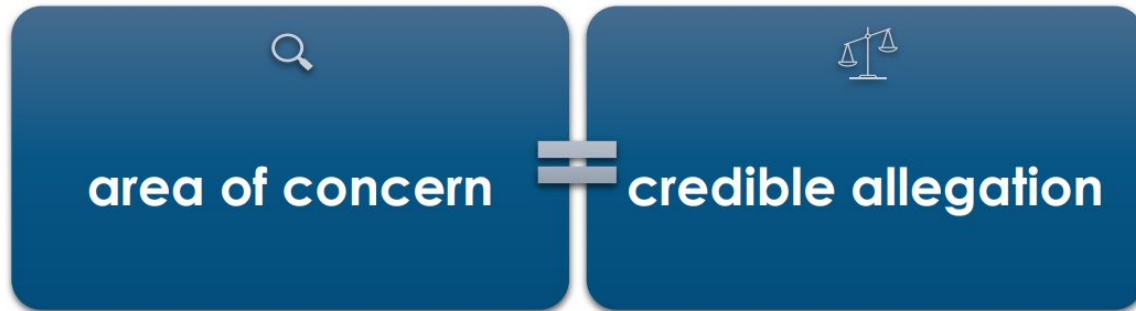
State General Supervision Responsibilities under Part B of the IDEA





Area of Concern & Credible Allegations

- Information and awareness may come from integrated monitoring activities, data reviews, grant reviews, stakeholder calls, media reports, dispute resolution systems, or other State mechanisms





Area of Concern and Due Diligence

State receives information and is made aware of an area of concern

- State has a process to determine if the concern is credible and a mechanism to track concerns

State implements policies, procedures, and practices

- General supervision system must include policies, procedures, and practices to address areas of concern in a timely manner

State conducts due diligence and reaches a conclusion

- Activities might include conducting research; interviewing staff, parents of and children with disabilities; reviewing and analyzing data

State determines if LEA or EIS program is in compliance with IDEA

- If LEA or EIS program is out of compliance, State **must** issue a written notification of noncompliance, generally within three months*